



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
KNOXVILLE ENVIRONMENTAL FIELD OFFICE
DIVISION OF WATER RESOURCES - MINING SECTION
3711 MIDDLEBROOK PIKE
KNOXVILLE, TENNESSEE 37921-6538
PHONE (865) 594-6035 STATEWIDE 1-888-891-8332 FAX (865) 594-6105

September 21, 2020

Mr. Jay Justice III
CEO
Southern Coal Company
302 S. Jefferson St.
Roanoke, VA 34011

Mr. Bill Johnson
Chief Compliance Officer
Premium Coal Company, Inc.
National Coal, LLC
P.O. Box 2178
Beaver, WV 25813

Via U.S. Mail and E-mail

RE: STATUS OF EXPIRED NPDES PERMITS

County	Permit number	Company Name	Project Name
Campbell	TN0079570	Premium Coal Company, Inc.	Mine 20
Anderson	TN0071307	Premium Coal Company, Inc.	Area 18
Anderson	TN0079308	Premium Coal Company, Inc.	Mine 4
Anderson	TN0076368	Premium Coal Company, Inc.	Refuse Area #3
Anderson	TN0063592	Premium Coal Company, Inc.	Refuse Area #2
Anderson	TN0052965	Premium Coal Company, Inc.	Mine 17
Anderson	TN0069159	Premium Coal Company, Inc.	Mine 5A
Anderson	TN0079529	Premium Coal Company, Inc.	Area 19
Scott	TN0071803	National Coal, LLC	Deep Mine 8
Scott	TN0072729	National Coal, LLC	Deep Mine 9
Campbell	TN0076180	National Coal, LLC	Deep Mine 10

Dear Messrs. Justice and Johnson:

The above referenced NPDES permits in Tennessee are presently expired. The Division of Water Resources (the Division) recently conducted inspections at these facilities. Based upon the inspection findings and a review of water quality data, the Division has determined that

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the following facilities are sufficiently stable to protect water quality and do not require NPDES permit coverage at this time.

County	Permit	Permittee	Project Name
Scott	TN0071803	National Coal, LLC	Deep Mine 8
Scott	TN0072729	National Coal, LLC	Deep Mine 9
Campbell	TN0076180	National Coal, LLC	Deep Mine 10
Anderson	TN0076368	Premium Coal Company, Inc	Refuse Area #3
Anderson	TN0079308	Premium Coal Company, Inc.	Mine 4
Anderson	TN0071307	Premium Coal Company, Inc.	Area 18
Anderson	TN0052965	Premium Coal Company, Inc.	Mine 17
Anderson	TN0079529	Premium Coal Company, Inc.	Area 19

Based upon the inspection findings and a review of water quality data, the Division has determined that the following facilities are not sufficiently stable to protect water quality and require additional stabilization measures:

County	Permit	Permittee	Project Name
Anderson	TN0063592	Premium Coal Company, Inc.	Refuse Area 2
Anderson	TN0069159	Premium Coal Company, Inc.	Mine 5A
Campbell	TN0079570	Premium Coal Company, Inc.	Mine 20

The required stabilization measures for these facilities include:

Premium Coal Refuse Area 2 (TN0063592)

- Vegetate or stabilize the storage area.
- Repair or remove the failed stream crossing at Slatestone Creek. Please note that a separate Aquatic Resource Alteration Permit (ARAP) may be required.

Premium Coal Mine 5A (TN0069159)

- Re-slope and vegetate or otherwise stabilize or reclaim the highwall area.
- Vegetate the staging area.

Premium Coal Mine 20 (TN0079570)

- Regrade and vegetate or otherwise stabilize or reclaim the highwall area.
- Vegetate the spoil area.

The Division is in receipt of incomplete applications for NPDES permits for the above referenced facilities. You may submit a request to withdraw these applications to the Mining Section at 3711 Middlebrook Pike, Knoxville, TN 37921 or TDEC.Mining@tn.gov.

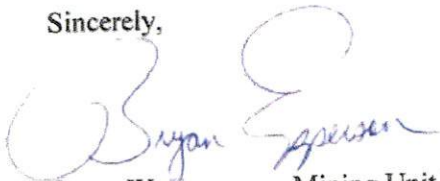
No further action, aside from the above-mentioned stabilization measures and withdrawal of applications, is required at this time. The Division understands that full reclamation may be

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required for these facilities under the Surface Mining Control and Reclamation Act (SMCRA) permit. If future reclamation activities will require significant ground disturbance and earth moving (greater than 5 acres), discharges of storm water from the reclamation areas may be permitted under Tennessee Storm Water Multi-Sector General Permit (TMSP) Sector AE. This is a general NPDES permit which requires annual monitoring and the implementation of a Storm Water Pollution Prevention Plan (SWPPP). The TMSP permit would only be required while reclamation work is ongoing and until stability of the site is achieved. All future reclamation activities, regardless of disturbed area, must utilize proper sediment & erosion controls to prevent pollution to Waters of the State. Please bear in mind, regardless of whether or not these sites are required to have an NPDES permit, they may not cause a condition of pollution to waters of the state of Tennessee in violation of T.C.A. § 69-3-114. Documented instances of pollution to waters of the state will subject the responsible party to enforcement action.

If you have questions, please contact Daniel Lawrence at (865) 594-5543 or Daniel.Lawrence@tn.gov.

Sincerely,



Bryan W. Epperson, Mining Unit Manager
Mining Section
Division of Water Resources

cc: Knoxville Mining Section
e-copy Wilson Buntin, Tennessee Attorney General's Office
e-copy Stephane Durman, Office of General Counsel
e-copy TDEC Compliance & Enforcement
e-copy Melissa Raack, USEPA
e-copy Patrick M. Casey, US DOJ
e-copy Mike Castle, OSMRE
e-copy Mark Snyder, OSMRE